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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,368	02/28/2004	Ratan Khatwa	H0006337	5130

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EXAMINER

TO, TUAN C

ART UNIT	PAPER NUMBER
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3663

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/789,368

Applicant(s)

KHATWA ET AL.

Examiner

Tuan C To

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 and 17 is/are allowed.
- 6) ☒ Claim(s) 18-21 is/are rejected.
- 7) ☒ Claim(s) 16 and 22-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09/04/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 16 is objected to because of the following informalities: In the preamble of the claim, the applicant states that "the computer program product of claim 15", however, in claim 15, there is not included "the computer program product".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kastner et al. (US 5519618A) and in view of Walter (US 6862519B2).

With respect to claim 18, Kastner et al. disclose an airport surface safety logic system for controlling the movement of vehicles on the airport surface. As shown in figure 13, the safety logic system includes safety logic (118), which is the claimed processor, coupled with sensor fusion and tracking for receiving the input from said sensor, and that the safety logic (118) is coupled to the airport-surface database (130) that stores the airport features of interest. The target state machine (120) determines the vehicle's state, for example, whether the target vehicle is departing, landing, or taxiing. The alert logic (126) sends an alert message to the radar display and the audible alerting system when the system recognizes two target vehicle are conflict.

Kastner et al. do not disclose that the processor being configured for executing a plurality of machine instructions as recited in the claims.

The secondary reference to Walter as disclosing an airport map system with compact feature data storage, in which the processor (11A) (see Walter, figure 1) is provided to receive and processes command and data. The processor (11A) electronically communicates with the memory (11B) to execute the programs instructions stored in the ROM. The processor (11A) is also coupled to the NDB (13) so that the airport data such as runways, taxiways, gates, ramp, and various other airport structure can be retrieved.

Hence it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Kastner et al. and Walter so that the ground transportation at an airport is maintained at high safety as much as possible.

With regard to claims 19 and 20, Kastner et al. disclose that the alert message has been generated when two target objects are at risk of colliding (Kastner et al, abstract).

With regard to claim 21, Walter teaches that airport features such as runway, taxiways represented by the location points (Walter, column 2, lines 25-40). Therefore, each airport feature data can be retrieved based on a specified location points.

#### ***Allowable Subject Matter***

The examiner has recognized that the prior art fails to disclose the limitations as recited in the independent claim 1 and claim 10. Therefore, they are allowable as well as the dependent claims 2-9, and 11-15, and 17.

Claim 16 would be allowable if rewritten to overcome the objection as set above.

Claims 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

April 26, 2005

  
THOMAS E. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 3600